

Special Council Meeting
February 7, 2008 – 8:01 am

The meeting was called to order by President Spaetti. Councilmen Spaetti, Bunner, Kroeger, Kress, Cochenour, and Attorney Wetherill were present. Councilmen Ebert and Winsett were absent.

Santa Claus Water

Mike Johannes explained that one paragraph was removed from the prior version of the Amended Memorandum of Understanding and Joint Cooperation Agreement to make it more acceptable to the county and it was reviewed with Attorney Wetherill. Johannes further explained that both Santa Claus Water (SCW) and Santa La Hill (SLH) need to have the MOU signed prior to February 8th, because that is the last day that Santa La Hill would be able to file an appeal in court. This agreement would keep them from having to file.

Spaetti asked about the make up of the water board. Wetherill explained that the Town Board President of Santa Claus is responsible for appointing the water board and it will appoint representatives from each township involved. Johannes stated that they are looking for people who have knowledge of utilities and bonding.

Kress asked about a clause in the settlement agreement in which it states that SCW will not accept any assets or debt from SLH. He stated that he thought it was part of the deal that SCW would pay off the debts of SLH. Attorney Kevin Patmore explained that it was originally thought that SLH would have enough assets to pay off the Rural Development debt; but now it looks like they will not. There are separate negotiations taking place for SCW to make up the difference. Johannes added that Holiday World has agreed to take over the old water tower and any liability associated with it. Elisa Peters, Manager of SLH, stated that the clause protects both SCW and SLH from people coming up months later and claiming they are owed large sums of money. She said proper notice will be given for claims that need to be paid.

Wetherill stated that he is satisfied with the MOU and recommended the council sign.

Cochenour asked Johannes if he fore-saw a time when SCW expands to include Dale or other areas. Johannes said he would not be opposed to it if all of the communities involved would agree, but it was not under consideration at this time due to the increase in regulations if they move to a regional board. Cochenour stated that the infrastructure is needed in the county if we want it to grow. Kroeger stated that this is a good first step and he is optimistic that it will grow. He said if the base of users grows it will be better for everyone in the long run.

Spaetti thanked all of the people who have worked to come to this agreement. Commissioner Gogel agreed and expressed his appreciation for the work done. Peters thanked the County Council and the Board of Commissioners.

Kroeger made a motion to sign the MOU as presented. Bunner seconded. All in favor.

Luce Sewer

Wetherill stated that the Luce Sewer Board is in the process of scheduling mediation. Spaetti stated that it would be good if the board attended the Fulda Regional Sewer District Annual Meeting. He will speak to the council’s representative Christian Decker about attending.

House Ways and Means Committee

Kroeger stated that the Indiana House Ways and Means Committee will be meeting regarding HB1001 and he will be attending. He invited the other councilmen to attend also.

Kress made a motion to adjourn. Cochenour seconded. All in favor. The meeting was adjourned at 8:39 am.

County Council,

_____ President	_____
_____	_____
_____	_____
Attest:	_____
_____	_____
Cindy Shelton, Auditor	_____
